

# EXHIBIT B

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LISA KOSS,

Plaintiff,

v.

PALMER WATER DEPARTMENT,  
PALMER FIRE DISTRICT NO. 1 AND  
PALMER WATER DISTRICT NO. 1,<sup>1</sup>  
WILLIAM COLE and CHARLES M.  
CALLAHAN, III,

Defendants.

CIVIL ACTION NO. 3:12-cv-30170-MAP

**PRIVILEGE LOG**

Pursuant to Federal Rule of Civil Procedure 26(b)(5)(A) and Local Rules of The United States District Court for the District of Massachusetts 34.1(e), Defendants, Palmer Water Department, Palmer Fire District No. 1 and Palmer Water District No. 1, William Cole and Charles M. Callahan, III, hereby serve upon counsel for Plaintiff, Lisa Koss, the underlying privilege log of documents, communications, and/or tangible things that are responsive to written discovery requests that Defendant's object to and have been withheld from production on the basis that such information is privileged or subject to protection as material prepared in anticipation of litigation.

Federal Rule of Civil Procedure 26(b)(5)(A) states as follows:

*Claiming Privilege or Protecting Trial-Preparation Materials.*

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<sup>1</sup>There is only one employer, not two or three employers, of the plaintiff and the entities listed in the above-referenced caption are not the correct legal names.

(A) *Information Withheld.* When a party withholds information otherwise discoverable by claiming that the information is privileged or subject to protection as trial-preparation material, the party must:

- (i) expressly make the claim; and
- (ii) describe the nature of the documents, communications, or tangible things not produced or disclosed—and do so in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the claim.

Local Rules of the United States District Court for the District of Massachusetts 34.1(e) states as follows:

When a claim of privilege is asserted in objection to any document request, or any subpart thereof, and any document is not provided on the basis of that assertion, the attorney asserting the privilege shall identify in the objection the nature of the privilege that is being claimed with respect to each such document. If the privilege is being asserted in connection with a claim or defense governed by state law, the attorney asserting the privilege shall indicate the particular privilege rule that is being invoked.

The information as required by the aforementioned rules is identified as follows:

Date	Author(s)	Recipient(s)	Description	Privilege
February 6, 2012	Daniel Morton-Bentley, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
February 6, 2012	Henry Rigali, Esq.	Daniel Morton-Bentley, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege

Date	Author(s)	Recipient(s)	Description	Privilege
February 7, 2012	Daniel Morton-Bentley, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
March 1, 2012	Daniel Morton-Bentley, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
March 1, 2012	Henry Rigali, Esq.	Daniel Morton-Bentley, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
March 30, 2012	Daniel Morton-Bentley, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 5, 2012	Daniel Morton-Bentley, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege



Date	Author(s)	Recipient(s)	Description	Privilege
April 11, 2012	Karina Schrenghorst, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 11, 2012	Henry Rigali, Esq.	Karina Schrenghorst, Esq., Charles Callahan, James Ammann	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 11, 2012	Karina Schrenghorst, Esq.	Henry Rigali, Esq., Charles Callahan, James Ammann	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 11, 2012	Henry Rigali, Esq.	Karina Schrenghorst, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 12, 2012	Karina Schrenghorst, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege

Date	Author(s)	Recipient(s)	Description	Privilege
April 12, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq.	What: E-mail made in anticipation of litigation.  Subject: legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 17, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq., Charles Callahan, James Ammann, Joe Mastalerz	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 19, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq.	What: E-mail with Memorandum of Law made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations.	Attorney work product and/or attorney-client privilege
April 24, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq., Charles Callahan, James Ammann, Joe Mastalerz	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation related to communication with Mike Shea regarding scheduling interview with Ms. Koss	Attorney work product and/or attorney-client privilege

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April 24, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
April 25, 2012	Karina Schrengohst, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
May 2, 2012	Karina Schrengohst, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege



Date	Author(s)	Recipient(s)	Description	Privilege
May 2, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation related to rescheduled meeting with Ms. Koss and Mike Shea	Attorney work product and/or attorney-client privilege
May 10, 2012	Henry Rigali, Esq.	Karina L. Schrengohst, Esq., Charles Callahan, James Ammann,	What: E-mail with Memorandum of Law made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations.	Attorney work product and/or attorney-client privilege
May 14, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
May 15, 2012	Karina Schrengohst, Esq.	Henry Rigali, Esq.	What: E-mail made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations	Attorney work product and/or attorney-client privilege
June 19, 2012	Henry Rigali, Esq.	Karina Schrengohst, Esq.	What: E-mail with Memorandum of Law made in anticipation of litigation.  Subject: Legal strategy, advice, and recommendation concerning Ms. Koss's allegations.	Attorney work product and/or attorney-client privilege



Respectfully Submitted,



Karina L. Schrengohst, Esq.

BBO #681614

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Royal LLP

270 Pleasant Street

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Dated: August 15, 2013

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Privilege Log* was served upon the attorney of record for each other party, Michael O. Shea, Esq., Law Office of Michael O. Shea, P.C., 3 Crane Park Drive, Suite 7, Wilbraham, MA 01095, via e-mail and by first-class, U.S. mail, postage prepaid, on August 15, 2013.



Karina L. Schrengohst, Esq.